



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*United States District Courthouse
300 Quarropas Street
White Plains, New York 10601*

January 25, 2022

BY ECF

The Honorable Nelson S. Román
United States District Court
Southern District of New York
300 Quarropas St.
White Plains, NY 10601

Re: *United States v. Nicolaus Wynberg*, 21 Cr. 386 (NSR)

Dear Judge Román:

The Government respectfully submits this letter in advance of sentencing in this matter, currently scheduled for February 10, 2022, at 1:00 p.m. The Government has received an additional victim impact statement, attached as Exhibit A.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

by: /s/ T. Josiah Pertz
T. Josiah Pertz / Kyle A. Wirshba
Assistant United States Attorneys
(914) 993-1966

cc: Stephen Lewis, Esq. (ECF)

Exhibit A

PRE SENTENCE STATEMENT

United States v. Nicolaus Wynberg, 20 Cr. 386 (NSR)

TO: The Honorable Nelson S. Román
United States District Court Southern District of New York
300 Quarropas St. White Plains, NY 10601

FROM:

[REDACTED]

DATE: January 21, 2022

RE: Nicolaus G. Wynberg

Honorable Judge Roman:

It is with sadness that I am directing this statement to the court regarding my son Nicolaus Wynberg. I found out he was arrested in July 2020 when notified by FBI Agents who came unexpectedly to my home.

I only found out the details of the charges when I read the Pre Sentence Report, and the victims statements in the public record this week.

I have not had communication with Nicolaus in over 7 years. I did Receive an envelope addressed with his handwriting during the Mother's Day weekend 2021. A notarized Revocation of Power of Attorney documents signed by Nicolaus ,and Two fellow inmates (both charged with very violent crimes). I suspected it was a 'Message' of some kind. Since Power of Attorney was a document I used when He was traveling for work and used my address as his legal residence. Frankly, I had forgotten I had it.

I was concerned and spoke to local law enforcement who told me no laws had been Broken and no further steps could be taken to prevent written communication from Nicolaus unless I filed an Order of Protection

After reading the 1/11/2022 presentence report I believe Nicolaus could present a threat to me and others. He has made violent threats to others...Stated clear

thoughts to harm me and others. Stated clearly outlined plans; and verbalized a strong intention to carry them out. Victim's Statement to the Court
December 27,2021

"Nick often talked about poisoning his own mother and how he would like to lock her up with minimal food and water for survival and leave her there indefinitely.
This line of thought by him leaves me fearing for my own life"

For the past 25 years Nicolaus has shown dangerous behaviors, and obsession With firearms. I tried to find the best psychiatric help. And at times paid for legal services when he got in trouble. Always hoping for the "magic cure". His dangerous behavior has escalated in frequency and intensity over the past 10 years. He appears To have episodes wherein his behavior and mood unravel at faster and faster rates.

I made a decision many years ago to absent myself from his life, and made it very clear to him he no longer had free access to my home. He has a history of stealing from me. And taking objects sentimental value to me (ie. Urn containing my parents' ashes)

I do not believe Nicolaus can be released into the community after serving a short Sentence. I fear for what terrible acts he could commit. I do not know if the post Release CIVIL COMMITMENT laws could be applied to him. But I see no other solution. And when he is released to the community I am requesting I be notified if possible.

Respectfully

A solid black rectangular box used to redact the signature of the victim.